

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-04328-JPO**

Natural Resources Defense Council v. Office of Management
and Budget
Assigned to: Judge J. Paul Oetken
Cause: 05:552 Freedom of Information Act

Date Filed: 05/15/2018
Date Terminated: 07/22/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Natural Resources Defense Council**

represented by **Susan Kraham**
Columbia University
Environmental Law Clinic
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ATTORNEY TO BE NOTICED

V.

Defendant**Office of Management and Budget**

represented by **Dominika Natalia Tarczynska**
United States Attorney's Office
Southern District Of New York
86 Chambers Street, Third Floor
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/15/2018	<u>1</u>	COMPLAINT against Office of Management and Budget. (Filing Fee \$ 400.00, Receipt Number 0208-15071578) Document filed by Natural Resources Defense Council.(Kraham, Susan) (Entered: 05/15/2018)
05/15/2018	<u>2</u>	CIVIL COVER SHEET filed. (Kraham, Susan) (Entered: 05/15/2018)
05/15/2018	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to, re: <u>1</u> Complaint. Document filed by Natural Resources Defense Council. (Kraham, Susan) Modified on 5/16/2018 (pc). (Entered: 05/15/2018)
05/15/2018	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Natural Resources Defense Council.(Kraham, Susan) (Entered: 05/15/2018)
05/16/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge J. Paul Oetken. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 05/16/2018)

05/16/2018		Magistrate Judge Stewart D. Aaron is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 05/16/2018)
05/16/2018		Case Designated ECF. (pc) (Entered: 05/16/2018)
05/16/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Susan Kraham to RE-FILE Document No. <u>3</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): Type the defendant's name on the docket entry for the summons, the date field on the official A.O. Summons form was completed by the attorney; Leave the Clerk's signature line blank. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 05/16/2018)
05/16/2018	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Office of Management and Budget, re: <u>1</u> Complaint. Document filed by Natural Resources Defense Council. (Kraham, Susan) (Entered: 05/16/2018)
05/17/2018	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to Office of Management and Budget. (dnh) (Entered: 05/17/2018)
06/21/2018	<u>7</u>	ANSWER to <u>1</u> Complaint. Document filed by Office of Management and Budget.(Tarczynska, Dominika) (Entered: 06/21/2018)
06/22/2018	<u>8</u>	ORDER: Counsel for all parties are directed to appear for an initial pretrial conference with the Court on July 2, 2018, at 3:30 p.m. The conference will be held in Courtroom 706 of the Thurgood Marshall United States Court House, 40 Foley Square, New York, New York. Counsel who appear at the pretrial conference must be authorized to negotiate terms of settlement. And as set forth herein. SO ORDERED. Initial Conference set for 7/2/2018 at 03:30 PM in Courtroom 706, 40 Centre Street, New York, NY 10007 before Judge J. Paul Oetken. (Signed by Judge J. Paul Oetken on 6/22/2018) (ama) (Entered: 06/22/2018)
06/25/2018		NOTICE: THE INITIAL PRETRIAL CONFERENCE PREVIOUSLY SCHEDULED FOR JULY 2, 2018, IS HEREBY ADJOURNED TO JULY 9, 2018, AT 3:45 P.M. (bh) (Entered: 06/25/2018)
06/26/2018	<u>9</u>	LETTER MOTION to Adjourn Conference addressed to Judge J. Paul Oetken from Susan J. Kraham dated June 26, 2018. Document filed by Natural Resources Defense Council.(Kraham, Susan) (Entered: 06/26/2018)
06/26/2018	<u>10</u>	ORDER granting <u>9</u> Letter Motion to Adjourn Conference. GRANTED. THE INITIAL PRETRIAL CONFERENCE PREVIOUSLY SCHEDULED FOR JULY 9, 2018, IS HEREBY ADJOURNED TO JULY 18, 2018, AT 3:00 P.M. SO ORDERED. (HEREBY ORDERED by Judge J. Paul Oetken)(Text Only Order) (Oetken, J.) (Entered: 06/26/2018)
07/13/2018		NOTICE: THE INITIAL PRETRIAL CONFERENCE PREVIOUSLY SCHEDULED FOR JULY 18, 2018, IS HEREBY ADJOURNED TO JULY 19, 2018, AT 3:00 P.M. (bh) (Entered: 07/13/2018)
07/13/2018	<u>11</u>	JOINT PRE-CONFERENCE STATEMENT . Document filed by Natural Resources Defense Council.(Kraham, Susan) (Entered: 07/13/2018)
07/18/2018	<u>12</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge J. Paul Oetken from Dominika Tarczynska & Susan Kraham dated July 18, 2018. Document filed by Office of Management and Budget.(Tarczynska, Dominika) (Entered: 07/18/2018)
07/18/2018	<u>13</u>	ORDER granting <u>12</u> Letter Motion to Adjourn Conference GRANTED. THE INITIAL PRETRIAL CONFERENCE SCHEDULED FOR JULY 19, 2018, IS HEREBY ADJOURNED. THE PARTIES SHALL PROVIDE A JOINT STATUS UPDATE ON OR BEFORE AUGUST 18, 2018. SO ORDERED. (HEREBY ORDERED by Judge J. Paul Oetken)(Text Only Order) (Oetken, J.) (Entered: 07/18/2018)

08/20/2018	<u>14</u>	STATUS REPORT. <i>Joint Status Report</i> Document filed by Office of Management and Budget.(Tarczynska, Dominika) (Entered: 08/20/2018)
08/22/2018	<u>15</u>	MEMO ENDORSEMENT: on re: <u>14</u> Status Report filed by Office of Management and Budget. ENDORSEMENT: The parties shall provide a joint status update on or before November 14, 2018. SO ORDERED. (Signed by Judge J. Paul Oetken on 8/21/2018) (ama) (Entered: 08/22/2018)
11/13/2018	<u>16</u>	LETTER addressed to Judge J. Paul Oetken from AUSA Anthony J. Sun dated 11/13/2018 re: status update. Document filed by Office of Management and Budget.(Sun, Anthony) (Entered: 11/13/2018)
11/14/2018	<u>17</u>	MEMO ENDORSEMENT: on re: <u>16</u> Letter filed by Office of Management and Budget. ENDORSEMENT: The parties shall provide a joint status update on or before December 14, 2018. SO ORDERED. (Signed by Judge J. Paul Oetken on 11/14/2018) (ama) (Entered: 11/14/2018)
12/14/2018	<u>18</u>	STATUS REPORT. Document filed by Natural Resources Defense Council.(Kraham, Susan) (Entered: 12/14/2018)
12/17/2018	<u>19</u>	ENDORSED LETTER addressed to Judge J. Paul Oetken from Susan J. Kraham, Esq., Counsel for Plaintiff dated 12/14/2018 re: letter requesting that the Court permit the parties to submit a further status update by January 14, 2019. ENDORSEMENT: The parties shall file a joint status update on or before January 14, 2019. So ordered. (Signed by Judge J. Paul Oetken on 12/14/2018) (ks) (Entered: 12/17/2018)
12/27/2018	<u>20</u>	STANDING ORDER M10-468 The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (ks) (Entered: 01/02/2019)
12/27/2018	<u>21</u>	STANDING ORDER M10-468 The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (ks) (Entered: 01/02/2019)
12/27/2018		Case Stayed (rro) (Entered: 01/14/2019)
02/19/2019	<u>22</u>	LETTER addressed to Judge J. Paul Oetken from AUSA Anthony J. Sun dated 2/19/2019 re: status update. Document filed by Office of Management and Budget.(Sun, Anthony) (Entered: 02/19/2019)
02/20/2019	<u>23</u>	MEMO ENDORSEMENT on re: <u>22</u> Letter filed by Office of Management and Budget. ENDORSEMENT: The parties shall submit a status update on or before March 18, 2019. SO ORDERED. (Signed by Judge J. Paul Oetken on 2/20/2019) (kv) (Entered: 02/20/2019)
03/18/2019	<u>24</u>	LETTER addressed to Judge J. Paul Oetken from AUSA Anthony J. Sun dated 3/18/2019 re: status update. Document filed by Office of Management and Budget.(Sun, Anthony) (Entered: 03/18/2019)
03/18/2019	<u>25</u>	MEMO ENDORSEMENT on re: <u>24</u> Letter filed by Office of Management and Budget. ENDORSEMENT: The parties are directed to file a status update on or before April 22, 2019. So ordered. (Signed by Judge J. Paul Oetken on 3/18/2019) (anc) (Entered: 03/18/2019)
04/22/2019	<u>26</u>	LETTER addressed to Judge J. Paul Oetken from AUSA Anthony J. Sun dated 4/22/2019 re: status update. Document filed by Office of Management and Budget.(Sun, Anthony) (Entered: 04/22/2019)
04/22/2019	<u>27</u>	MEMO ENDORSEMENT on re: <u>26</u> Letter filed by Office of Management and Budget. ENDORSEMENT: The parties are directed to file a status update on or before May 20, 2019. SO ORDERED. (Signed by Judge J. Paul Oetken on 4/22/2019) (kv) (Entered: 04/22/2019)
05/17/2019	<u>28</u>	LETTER addressed to Judge J. Paul Oetken from AUSA Anthony J. Sun dated 5/17/2019 re: status update. Document filed by Office of Management and Budget.(Sun, Anthony) (Entered: 05/17/2019)

05/17/2019	<u>29</u>	MEMO ENDORSEMENT on re: <u>28</u> Letter filed by Office of Management and Budget. ENDORSEMENT: The parties shall file a joint status update on or before June 21, 2019. So Ordered (Signed by Judge J. Paul Oetken on 5/17/2019) (js) (Entered: 05/17/2019)
06/21/2019	<u>30</u>	LETTER addressed to Judge J. Paul Oetken from AUSA Anthony J. Sun dated 6/21/2019 re: status update. Document filed by Office of Management and Budget.(Sun, Anthony) (Entered: 06/21/2019)
06/24/2019	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Letter filed by Office of Management and Budget. ENDORSEMENT: The parties shall file a joint status update on or before July 22, 2019. So ordered. (Signed by Judge J. Paul Oetken on 6/24/2019) (anc) (Entered: 06/24/2019)
07/22/2019	<u>32</u>	PROPOSED STIPULATION AND ORDER. Document filed by Office of Management and Budget. (Sun, Anthony) (Entered: 07/22/2019)
07/22/2019	<u>33</u>	STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL: As soon as reasonably practicable, OMB shall pay to Plaintiff via electronic funds transfer to the IOLTA account designated by Plaintiff's counsel the sum of SEVEN THOUSAND DOLLARS AND ZERO CENTS (\$7,000.00) in attorneys' fees and litigation costs, pursuant to 5 U.S.C.552 (a)(4)(E), which sum Plaintiff agrees to accept as full payment of any attorneys' fees and costs Plaintiff has incurred or will incur in this action for the services performed up to the date of this Stipulation and Order. This action is hereby dismissed with prejudice, and without costs or fees other than as provided in paragraph 2 of this Stipulation and Order, provided that the Court shall retain jurisdiction over any issues that may arise relating to this Stipulation and Order. The Clerk of Court is directed to close this case. (As further set forth in this Order.) (Signed by Judge J. Paul Oetken on 7/22/2019) (cf) (Entered: 07/22/2019)